

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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THE PEOPLE OF THE STATE OF NEW YORK, by  
BARBARA D. UNDERWOOD, Attorney General of  
the State of New York,

CIVIL ACTION NO.:  
18-CV-09812-AJN

Plaintiff(s),

-against-

DEBT RESOLVE, INC.; et. al.

Defendant(s).

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**DEFENDANT PROGRESS ADVOCATES, LLC.'S AND STUDENT LOAN  
CARE, LLC'S MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE, that upon the annexed Memorandum of Law and upon all the pleadings and proceedings had herein, Defendants Progress Advocates, Inc. and Student Loan Care, LLC, by and through the undersigned counsel, move this Court before the Honorable Alison J. Nathan, United States District Judge, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Second Amended Complaint filed by The People of The State of New York, by Barbara D. Underwood, Attorney General of the State of New York for failing to state a claim upon which relief can be granted against Defendants Progress Advocates, Inc. and Student Loan Care, and for such other relief as the Court deems just and proper.

Dated: New York, New York  
January 25, 2019

CLAUSEN MILLER P.C.



By:

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Eric T. Krejci, Esq.  
Carl M. Perri, Esq.

*Attorneys for Defendants*  
*Progress Advocates, LLC and Student Loan*  
*Care LLC*  
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**CERTIFICATE OF SERVICE**

I certify that all counsel of record is being served on January 25, 2019 with a copy of this document via the Court's CM/ECF system.

/s/ Eric T. Krejci  
Eric T. Krejci